

IN THE DISTRICT COURT OF THE UNITED STATES  
FOR THE MIDDLE DISTRICT OF ALABAMA  
NORTHERN DIVISION

TIMOTHY LEWIS PINCHON,	)	
AIS #199891,	)	
	)	
Plaintiff,	)	
	)	
v.	)	CIVIL ACTION NO. 2:20-CV-892-WHA
	)	
CLIFF WALKER, et. al.,	)	
	)	
Defendants.	)	

**ORDER**

On January 29, 2021, the Magistrate Judge entered a Recommendation (Doc. #17) to which no timely objections have been filed. After an independent review of the file and upon consideration of the Recommendation, it is ORDERED that:

1. The Recommendation of the Magistrate Judge is ADOPTED.
2. Plaintiff's claims for monetary damages from defendants Cliff Walker, Leigh Gwathney and Dwayne Spurlock, members of the Alabama Board of Pardons and Parole, for their decision to deny Plaintiff parole on September 23, 2020 are DISMISSED with prejudice in accordance with 28 U.S.C. § 1915(e)(2)(B)(iii).
3. Plaintiff's conspiracy claim is DISMISSED with prejudice as authorized by 28 U.S.C. § 1915(e)(2)(B)(ii).
4. As to defendants Jefferson Dunn, Kay Ivey, Sharon Folks and Jennifer Anderson King, all claims against these defendants arising from the aforementioned denial of parole by members of the Alabama Board of Pardons and Parole are DISMISSED with prejudice

under 28 U.S.C. § 1915(e)(2)(B)(ii) because neither respondeat superior nor vicarious liability provides a basis for relief.

5. Plaintiff's claims alleging violations of his constitutional rights related to the adverse parole decision issued by defendants Cliff Walker, Leigh Gwathney and Dwayne Spurlock on September 23, 2020 are DISMISSED without prejudice pursuant to 28 U.S.C. § 1915(e)(2)(B)(ii).

6. Plaintiff's pendent state law claims are DISMISSED without prejudice as this court deems it inappropriate to exercise supplemental jurisdiction over these claims.

7. Any claim alleging an independent violation of administrative rules, regulations or policies is DISMISSED with prejudice under 28 U.S.C. § 1915(e)(2)(B)(ii).

8. This case is DISMISSED prior to service of process in accordance with the provisions of 28 U.S.C. § 1915(e)(2)(B)(ii) and (iii).

DONE this 19<sup>th</sup> day of February, 2021.

/s/ W. Harold Albritton  
UNITED STATES DISTRICT JUDGE